

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TAMMY DIANE FISCHBECK,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Acting Commissioner of Social  
Security,

Defendant.

Case No. 6:16-cv-00851-TC

FINDINGS AND  
RECOMMENDATION

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COFFIN, Magistrate Judge:

Plaintiff Tammy Fischbeck, through her attorney Juliana E. Coons, filed a complaint (#1) on May 16, 2016, seeking judicial review of the Commissioner's decision denying her application for supplemental security income (SSI) under Title XVI of the Social Security Act. This Court has jurisdiction under 42 U.S.C. § 1383(c)(3). Plaintiff, however, failed to pay all required fees or file an *in forma pauperis* application for waiver of fees as required by Local Rule 3-4(a) and 28 U.S.C. § 1914(c). Further, plaintiff has been warned of her failure to comply with this requirement. *See* #1 ("No filing fee or motion to proceed *in forma pauperis* filed.").

1 – FINDINGS AND RECOMMENDATION

On May 19, 2016, this court ordered plaintiff to pay all required fees or file an *in forma pauperis* application for waiver of fees and warned that failure to do so within thirty days from the date of the order would result in the action being dismissed. Plaintiff, however, has failed to comply with this court's order within the thirty days allowed. As such, this court recommends that this action be dismissed for failure to comply with this court's order.

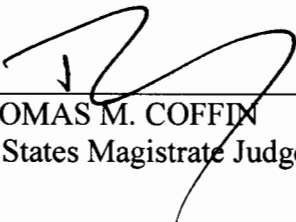
### **CONCLUSION**

For the reasons stated, this court recommends that this action be dismissed.

### **SCHEDULING ORDER**

The Findings and Recommendation will be referred to a district judge. Objections, if any, are due fourteen (14) days from service of the Findings and Recommendation. If no objections are filed, the Findings and Recommendation will go under advisement on that date. If objections are filed, a response is due fourteen (14) days after being served with a copy of the objections. When the response is due or filed, whichever date is earlier, the Findings and Recommendation will go under advisement.

DATED this 20 day of June 2016.

  
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THOMAS M. COFFIN  
United States Magistrate Judge